

November 8, 2001

## COMMITTEE ACTION REPORT

**H.R. 3210, TERRORISM RISK PROTECTION ACT, was ordered reported to the House with a favorable recommendation, with an amendment, by a voice vote.**

The following amendments were considered:

[An amendment in the nature of a substitute by Mr. Oxley](#), no. 1, making various technical changes, was AGREED TO by a voice vote.

[An amendment to the amendment in the nature of a substitute by Mr. Cox](#), no. 1a, clarifies the application of the liability protections to an insured party, was AGREED TO by a record vote of 26 yeas and 21 nays (Record vote no. 18).

[An amendment to the amendment in the nature of a substitute by Mr. LaFalce](#), no. 1b, striking the liability provisions, was NOT AGREED TO by a record vote of 24 yeas and 32 nays, 1 present (Record vote no. 19).

[An amendment to the amendment in the nature of a substitute by Mrs. Roukema](#), no. 1c, limiting the liability for damages arising out of the crashes on September 11, 2001, was WITHDRAWN.

[An amendment to the amendment in the nature of a substitute by Mr. Bentsen](#), no. 1d, limiting the sovereign immunity protections to commercial property and casualty damages resulting from an act of terrorism, was AGREED TO by a voice vote. A motion to reconsider the vote on amendment no. 1d by Mr. Barr was NOT AGREED TO by a record vote of 27 yeas and 32 nays (Record vote no. 23).

[An amendment to the amendment in the nature of a substitute by Mr. Bachus](#), no. 1e, directing the Secretary of the Treasury to conduct a study on a possible crisis in the availability and affordability of railroad insurance, was AGREED TO by a voice vote.

[An amendment to the amendment in the nature of a substitute by Mr. Ackerman](#), no. 1f, extending the definition of a terrorist act to include acts against domestic air carriers and U.S. flagged vessels overseas, was AGREED TO by a voice vote.

[An amendment to the amendment in the nature of a substitute by Mr. Weldon of Florida](#), no. 1g, directing the General Accounting Office to conduct a study of natural disasters on insurer solvency, was WITHDRAWN.

[An amendment to the amendment in the nature of a substitute by Ms. Lee](#), no. 1h, conditioning the assistance in the bill on the agreement of the recipient to provide certain information to the Administrator, was NOT AGREED TO by a record vote of 24 yeas and 35 nays (Record vote no. 20).

[An amendment to the amendment in the nature of a substitute by Mr. LaTourette](#), no. 1i, allocating the amount of punitive damages to be in proportion to the percentage of the harm to the claimant for which the defendant was responsible, was NOT AGREED TO by a record vote of 28 yeas and 29 nays (Record vote no. 21).

[An amendment to the amendment in the nature of a substitute by Mr. Watt](#), no. 1j, striking recovery from other collateral sources from offsetting relief payments under the Act and allowing punitive damages to be awarded, was NOT AGREED TO by a record vote of 24 yeas and 32 nays (Record vote no. 22).

[An amendment to the amendment in the nature of a substitute by Mr. Watt](#), no. 1k, permitting the satisfaction of judgments from seized assets of terrorists and terrorist organizations, was AGREED TO by a voice vote.

[An amendment to the amendment in the nature of a substitute by Mr. Bentsen](#), no. 1l, enabling the Administrator to extend the authorities of the Act on a yearly basis for 3 years after reporting to Congress on the reasons and need for the extension, was AGREED TO by a voice vote.

[An amendment to the amendment in the nature of a substitute by Mr. Manzullo](#), no. 1m, excluding terrorists from liability protections, was AGREED TO by a voice vote.

[An amendment to the amendment in the nature of a substitute by Mr. Inslee](#), no. 1n, establishing a 2 percent interest rate for all assessments paid by commercial insurers to the appropriate administrator, was WITHDRAWN.

[An amendment to the amendment in the nature of a substitute by Mr. Crowley](#), no. 1o, expanding the scope of the legislation to include personal lines of property and casualty insurance, was WITHDRAWN.

[An amendment to the amendment in the nature of a substitute by Mr. Capuano](#), no. 1p, extending authority to the Administrator to direct the use of the terrorism business reserve to pay claims as part of a plan of a company to avoid insolvency, [an amendment to the amendment in the nature of a substitute by Mr. Capuano](#), no. 1q, striking recovery from other collateral sources from offsetting relief payments under the Act, and [an amendment to the amendment in the nature of a substitute by Mr. Capuano](#), no. 1r, directing the Administrator to take into consideration the effect of assessments and surcharges on urban commercial centers, were offered en bloc and were WITHDRAWN. Amendment no. 1r was later offered again, and AGREED TO by a voice vote.

[An amendment to the amendment in the nature of a substitute by Mr. Baker, Mr. LaFalce, and Mr. Kanjorski](#), no. 1s, empowering the Secretary of the Treasury to carry out the authorities of the Act and establishing the structure for terrorism less repayment surcharges, was AGREED TO by a voice vote.

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The Committee adjourned at the call of the Chair.